

1 JOHN L. WHEELER
2 GLORIA A. WHEELER
3 181 Hunter Avenue
4 Oakland, CA 94603
5 (510) 635-6903

6 Plaintiffs In Propria Persona
7

FILED

8 SEP 4 2008 ✓
9

10 RICHARD W. WIEKING
11 CLERK, U.S. DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16

17 JOHN L. WHEELER, GLORIA A.
18 WHEELER,

No. C08-03230 JL

19 Plaintiffs,

20 DECLARATION OF JOHN L. WHEELER
21 IN OPPOSITION TO DEFENDANT
22 BANK OF AMERICA'S MOTION TO
23 STAY PROCEEDINGS

24 BANK OF AMERICA, N.T. & S.A. a
25 California corporation, and
LIBERTY REVERSE MORTGAGE and
SEATTLE FINANCIAL GROUP, and
DOES 1-10, inclusive,

Date: September 25, 2008
Time: 2:30 p.m.
Place: 450 Golden Gate Ave.
San Francisco, CA
Dept. 6, 17th Fl.
Trial Date: None
Complaint Filed: July 3, 2008
Judge: Hon. Vaughn R. Walker

26 vs.
27 Defendants.
28

/

I, John L. Wheeler, declare as follows:

1. I am one of the plaintiff in this action. The matters set forth herein are true and correct based upon my own personal knowledge or based upon my review of public documents and, if called as a witness, I could and would testify competently thereto. I submit this declaration in opposition to Bank of America's motion to stay the proceedings.

2. Attached hereto as Exhibit A is a true and correct copy of exhibits on 4/9/06, Chex Systems, 11/8/05 Chex Systems Exhibit

1 A. 8/8/04 Acceptance, LLC Debit Collector, Bank of American
2 8/4/04 \$436.68 Exhibit B. Cashier check 11/8/05 in the amount of
3 \$148.53 Exhibit C. Seattle Mortgage finance charge \$208.77, FHA
4 Mortgage Insurance \$92.97. Insurance fee was paid up front.
5 Seattle Mortgage 2/28/07 Exhibit E. Finance charge \$178.00, FHA
6 Mortgage Insurance \$91.18 Group Exhibit D Seattle Mortgage
7 1/31/07 finance charge \$1,180.06, FHA Mortgage Insurance \$90.63
8 Exhibit G. Seattle Mortgage 9/30/06 interest charge \$1,178.68,
9 FHA Mortgage Insurance \$80.86. Seattle Mortgage 8/31/06 interest
10 charge \$1,165.71, FHA Mortgage Insurance \$80.37. Bank of America
11 6/30/07 finance charge \$1,196.76, FHA Mortgage Insurance \$93.50
12 Bank of America 11/30/07 finance charge \$1,074.96 Group Exhibit
13 E. Bank of America 9/30/08 finance charge \$1,227.80, FHA
14 Mortgage Insurance \$95.77.

15 On October 5, 2007 loan number 4393069.

16 Bank of America 7/31/07 finance charge \$1,214.67, FHA
17 Mortgage Insurance \$94.16.

18 On 6/22/06 Settlement Statement \$191,578.83, Seattle
19 Mortgage \$7,255.80. These fees were paid up front. Bank of
20 America, Seattle Mortgage, Liberty Reverse Mortgage charged
21 plaintiffs again on each monthly statement. They also charged
22 plaintiffs repair admin fee to Seattle Mortgage \$185.63.

23 To stay the proceedings will prejudice the rights of the
24 plaintiffs.

25 Bank of America and their attorneys, Debra S. Belaga, Aaron
26 M. Rofkahr of O'Melveny & Myers, LLP, can be liable for the
27 negligent infliction of severe emotional distress to its client's

1 adversary's interests. The attorney nonetheless has a duty to
2 deal honestly and fairly with adverse parties and counsel.
3 Breach of this duty can give rise to liability. Carney v.
4 Rotkins Schmerman McIntyre, 206 C.A. 3d 1513, 254 C.R. 478 (dec.
5 1988). Note that Business & Professions Code §6128 makes it a
6 misdemeanor for an attorney to "practice or consent to any deceit
7 or collusion with intent to deceive ... any party." See Penal
8 Code §§357.359 on civil liberty for statutory.

9 Defendants did not deal honestly and fairly with plaintiffs.
10 Defendants charged plaintiffs two times for mortgage insurance
11 premium \$7,255.80 and reported to the Chex Cashing System
12 11/8/05, 4/9/04. Plaintiffs cannot open a checking account
13 because defendants said plaintiffs are writing bad checks. Bank
14 of America sold this account to Asset Acceptance on 8/6/04.
15 Plaintiffs paid defendants Bank of America with their own cashier
16 check No. 412925025 on November 8, 2005. It is clearly
17 defamation when defendant Bank of America reported to Asset
18 Acceptance LLC that plaintiffs still owed the money and when Bank
19 of America sold this account to Asset Acceptance. it is clearly
20 defamation when defendant Bank of America reported to Chex
21 Systems that plaintiffs still ow the money. Plaintiffs cannot
22 open up an account because of the defamation when defendant Bank
23 of America reported to Chex System that plaintiffs still owed the
24 money.

25 To stay plaintiffs' case will prejudice plaintiffs' case.
26
27
28

1 I declare under penalty of perjury under the laws of the
2 State of California that the foregoing is true and correct and
3 that this declaration was executed on September 3, 2008.

~~JOHN WHEELER~~

DECLARATION OF JOHN L. WHEELER IN OPPOSITION
TO DEFENDANT BANK OF AMERICA'S MOTION TO STAY
PROCEEDINGS -4-

Exhibit

A

WHEELER

(Last Name)

JRW

(First Name)

JRW

(Middle Name)

Maiden Name or Other Last Names Used

Social Security Number 4352246 Date of Birth 7/23/34 Home Phone # 506356903

Drivers License Number 70064917 State of Issuance CALIFORNIA

Current Address 1817 Hunter Avenue Oakland CA 94603

Number & Street Apt. # P.O. Box City State Zip Code

** ChexSystems will correspond with you at the above address unless you request otherwise **

Any Previous Addresses Used In The Past Five Years (include any P.O. Boxes):

Number & Street P.O. Box City State Zip Code

List Name, Tax ID #, Address and your title of Any Business/Organization Accounts Signed On in the Past Five Years:

Business Name	Your Title	Tax ID Number	Business Address

Signature: 

WHEELER
(Last Name)

John
(First Name)

(Middle Name)

Maiden Name or Other Last Names Used

Social Security Number 433522418 Date of Birth 7-3-34 Home Phone # 510 635 6903
(mm/dd/yyyy)

Drivers License Number D0064017 State of Issuance CALIFORNIA

Current Address 181 Hunter Avenue Oakland CA 94603
Number & Street Apt. # P.O. Box City State Zip Code

** ChexSystems will correspond with you at the above address unless you request otherwise **

Any Previous Addresses Used In The Past Five Years (include any P.O. Boxes):

Number & Street P.O. Box City State Zip Code

List Name, Tax ID #, Address and your title of Any Business/Organization Accounts Signed On in the Past Five Years:

Business Name	Your Title	Tax ID Number	Business Address

Signature: John L Wheeler

Exhibit B

**THIS NOTICE HAS NO EFFECT ON YOUR RIGHTS TO DISPUTE
OR REQUEST VALIDATION OF ANY DEBT REFERENCED IN
LETTERS RECEIVED WITH THIS NOTICE**

**ASSET ACCEPTANCE LLC
A DEBT COLLECTION COMPANY
PRIVACY POLICY**

Asset Acceptance LLC recognizes the necessity of keeping our information about you secure and confidential. The following policy covers Customer Information, which means personally identifiable information about a consumer or a consumer's current or former relationship with Asset Acceptance LLC. This policy is provided to you as required by the Federal Financial Privacy Law, 15 U.S.C. 6801-6810.

We collect nonpublic personal information about you from the following sources:

- Information we receive about you from you on applications or other forms;
- Information about your transactions with us, prior owners of your account, our affiliates, or others; and
- Information we receive from a consumer reporting agency.

We may disclose the following kinds of nonpublic personal information about you:

- Information we have received from you on applications or other forms, such as your name, your address, your social security number and your employer.
- Information about your transactions with us, prior owners of your account, our affiliates, or others, such as payment history and account balance.
- Information we receive from a consumer reporting agency, such as your social security number, your address, and your employer.

We may disclose nonpublic personal information about you to the following types of third parties:

- Financial service providers such as credit grantors, collection agencies and debt buyers.
- We may also disclose nonpublic personal information about you to affiliated debt purchasers and non-affiliated third parties as permitted by law.

Whenever we hire other organizations to provide support services, we will require them to conform to our privacy standards and to allow us to audit them for compliance.

We restrict access to nonpublic personal information about you to those associates who need to know that information to service your account(s). We maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

If you prefer that we not disclose nonpublic personal information about you to nonaffiliated third parties, you may opt out of those disclosures, that is, you may direct us not to make those disclosures (other than permitted by law). If you wish to opt out of disclosures to nonaffiliated third parties, you may:

a. call the following toll free number **800-398-8814**

or

b. complete, detach and mail the following form to: ASSET ACCEPTANCE LLC, PO Box 3140, Centerline MI 48015

XX

Please use this form if you wish to decline or "opt out" of information sharing.

I wish to exercise my rights to opt out of certain third-party information sharing, as described in this privacy notice.

To change our records to accurately reflect your desire to opt out, please provide us with the following information:

Name: _____ Phone Number: (_____) _____ - _____

Address: _____

Date: _____

May 5, 2007

RE: BANK OF AMERICA

CLIENT ACCOUNT #: 05629913000562702850
Asset Acceptance LLC ACCT#: 18579378
CURRENT BALANCE: \$543.34
SETTLEMENT BALANCE: \$217.34
EXPIRATION DATE: MAY 31, 2007

**60% DISCOUNT!
SEE BELOW FOR
DETAILS**

IT'S SPRING CLEANING TIME!

Dear John Wheeler:

Spring is a great time to start fresh by cleaning up your past due financial obligations.

Call us to set up a payment plan so that you can take advantage of this month's discount.

Act now to settle your account by May 31, 2007 and receive the following benefits:

1. A 60% reduction in your present balance, if paid in full by **May 31, 2007**
2. A paid account letter and closed account

Call PAUL NOLAN toll-free 800-398-8814 at Ext. 0 today to confirm your settlement arrangements.

Act now - go to www.paymybill.com and pay online, using either your checking account or credit card. Your user ID is: 0271627. Your password is: 18579378.

It may be possible to extend the deadline under certain circumstances. The settlement offer outlined above is guaranteed through the above referenced date. After that time, we reserve the right to modify the settlement offer, or revoke the offer entirely.

This offer is void if previous settlement has already been arranged.

This is an attempt to collect a debt and any information obtained will be used for that purpose.

Sincerely,

PAUL NOLAN - Phone: Toll Free 800-398-8814 Ext. 0
Debt Collector
Asset Acceptance LLC

Detach Lower Portion and Return with Payment

9422W

Asset Acceptance LLC Account # 18579378
Current Balance: \$543.34
Settlement Balance: \$217.34



John Wheeler
181 Hunter Ave
Oakland, CA 94603-2030

October 1, 2006

RE: BANK OF AMERICA

CLIENT ACCT#: 05629913000562702850
 Asset Acceptance LLC ACCT#: 18579378
 CURRENT BALANCE: \$519.22

**\$ Dollar
 For
 Dollar \$**

Dear John Wheeler:

For every dollar you pay us, **IN ANY AMOUNT**, we'll match it with a credit on your account. This may result in a settlement amount of up to **50%** off if you choose to pay half of your current balance!

For Example:

1. You pay us **\$259.61** toward your outstanding balance.
2. We match your **\$259.61** payment with a credit of **\$259.61**.
3. With the combined credits of **\$519.22** your balance is now **\$0**.
4. You have saved **\$259.61**!

Please call your account representative, ADRIANA GRAVES toll-free at 800-398-8814 ext.2046, so we can confirm the dollar for dollar matching payment option.

To pay online today at www.paymybill.com - Your User ID is: 0271627. Your password is: 18579378 K.

But hurry, the offer is only good until October 31, 2006.

It may be possible to extend the deadline under certain circumstances. The offer outlined above is guaranteed through the above referenced date. After that time, we reserve the right to modify the offer, or revoke the offer entirely.

This offer is void if previous settlement arrangements have already been made.

The matching contribution cannot result in a credit balance on your account. A returned payment will eliminate the matching credit.

This is an attempt to collect a debt and any information obtained will be used for that purpose.

Sincerely,
 ADRIANA GRAVES - Phone: Toll Free 800-398-8814 Ext. 2046
 Debt Collector
 Asset Acceptance LLC

9110W

Detach Lower Portion and Return with Payment



Asset Acceptance LLC Account # 18579378
 Current Balance: \$519.22

John Wheeler
 181 Hunter Ave
 Oakland, CA 94603-2030

ASSET ACCEPTANCE LLC

P. O. Box 50800
Phoenix, AZ 85076
Toll-free: 800-398-8814
Tel: 480-403-6400
Fax: 480-403-6451

Fax

TO: John Wheeler FROM: Efren Aguilar
FAX: 510-635-6903 DATE: 01/04/08
CC: PAGES: 2
RE:

(Including Cover)

COMMENTS

My Phone # 1800-398-8814
Ex: 6229#

Confidentiality Notice. The documents accompanying this transmission contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended party, you are notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone to arrange for the return to us of this cover sheet and the following documents.

Asset Acceptance LLC

P.O. Box 50800 • Phoenix, AZ 85076

Toll-free: 800-398-8814 • Tel: 480-403-6400 • Fax: 480-403-6451

JAN 04 2008

18579378-7489-EGA
JOHN WHEELER
181 HUNTER AVE
OAKLAND CA 94603-2030

RE:

BANK OF AMERICA
05629913000562702950

DEAR JOHN WHEELER:

Per our phone conversation on JAN 04 2008, we came upon a settlement agreement of \$400.00 to settle the above mentioned account. Payment must be received by 01/09/08 and upon clearance of the agreed funds; and your written or verbal request, Asset Acceptance LLC will send you a paid account letter. If the said funds are not received by 01/09/08, this offer will be null and void.

If you have any further questions, please call me at 800-398-8814 Ext. 6229.

This is an attempt to collect a debt and any information obtained will be used for that purpose.

Sincerely,

EFREN AGUILAR-Phone: 800-398-8814 Ext. 6229
Debt Collector
Asset Acceptance LLC

Re:

BANK OF AMERICA

Client Account #: 05629913000562702850
Asset Acceptance LLC Acct: 18579378

Current Balance: \$589.13
Expiration Date: July 31, 2008

TAX REBATE IDEA

Dear JOHN WHEELER:

We at Asset have a long history of working with our customers. With economic conditions being what they are, we want to work with you in settling this debt. See below for our multiple discount offers and choose which discount and timing would work best for you. Each option will save you money but the quicker you pay the more you save:

Option 1:

Receive a 70% discount by settling your debt by July 31, 2008. This is a savings of \$412.39.

Option 2:

Receive a 50% discount by settling your debt in three (3) equal consecutive monthly installments. This is a savings of \$294.57. Contact your account rep. listed below to confirm your monthly payment amount.

Option 3:

Receive a 35% discount by settling your debt in six (6) equal consecutive monthly installments. This is a savings of \$206.20. Contact your account rep. listed below to confirm your monthly payment amount.

To take advantage of these payment arrangement options, your first installment must be received by July 31, 2008. Final installment may be more or less than prior installments.

In addition, once you have settled your account, you can also receive the following benefits:

1. A zero balance on your BANK OF AMERICA account with us
2. A paid account letter

Payment Methods:

1. Set up monthly automatic installments using your checking account, call PAUL NOLAN toll-free at 866-416-9483 at ext. 0 to discuss this option.
2. Each month send a check or money order in the mail.
3. Each month go to www.paymybill.com and pay online, using your credit card, debit card or checking account. Your user ID is: 0271627. Your password is: 18579378.

It may be possible to extend the deadline under certain circumstances. The settlement offer outlined above is guaranteed through the above referenced date. After that time we reserve the right to modify the settlement offer, or revoke the offer entirely. We are not obligated to renew this offer.

This offer is void if a previous settlement has been arranged.

This is an attempt to collect a debt and any information obtained will be used for that purpose.

Sincerely,

PAUL NOLAN – Phone: 866-416-9483 Ext. 0
Debt Collector

See Reverse Side for Important Information Regarding Privacy Policy

MCSASSE036237AZODS

Detach Lower Portion and Return with Payment

Asset Acceptance LLC Acct: 18579378
Current Balance: \$589.13
Expiration Date: July 31, 2008



PO Box 2039
Warren MI 48090-2039

ADDRESS SERVICE REQUESTED

July 1, 2008

ASSET ACCEPTANCE LLC

PO Box 2036
Warren MI 48090-2036

#BWNJVGZ
#0000000185793783# 0415615 033254284 OZ2-6237

JOHN WHEELER
181 Hunter Ave
Oakland CA 94603-2030

Exhibit C

Cashier's Check

Date

VOID AFTER 90 DAYS
NOVEMBER 08, 2008

11-35/1210

Banking
Center

GILDED IMPERIAL

0000000 00010 002925025

JOHN L. WHEELER
Remitter (Purchased By)

148.53

3-2000

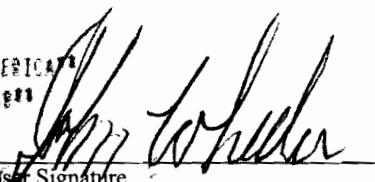
05-14-3774B

Pay ONE HUNDRED FORTY EIGHT DOLLARS AND 53 CENTS

\$

To
The
Order
OfBANK OF AMERICA
416-311-2668#1

Purchaser Signature

Bank of America, N.A.
San Francisco, CA

NON-NEGOTIABLE

Authorized Signature

PURCHASER COPY
RETAIN FOR YOUR RECORDS

1397085076

Notice: This copy is your receipt and you should save it. If your check is lost, stolen or destroyed before the void date, you may be required to sign an indemnity agreement before we will provide a refund or replacement. Stops may be placed at any time after purchase. However, you will not be entitled to a refund until after 90 days from the purchase date provided that we are not otherwise required to pay the item or hold the funds. To obtain information regarding this check or to report a loss, contact Bank of America, N.A. San Francisco, California 888.217.4038.

Ex H

D



**REVERSE MORTGAGE
ACCOUNT STATEMENT
Seattle Savings Bank**

PAGE 1 of 1

THIS IS NOT A BILL

Gloria Wheeler

181 Hunter Avenue

Oakland, CA 94603-2030

C - 5952

Loan Number	4393069
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Funded	06/27/06
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For Month Ending	04/30/2007
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Initial Interest	6.630%
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April	6.550%
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May	6.430%
-----	--------

June	6.400%
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Program Type	LINE OF CREDIT
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LOAN ACTIVITY AND BALANCE SUMMARY

APRIL LOAN ACTIVITY

Year to Date

Scheduled Payment		
Draws		
Finance Charges	\$1,208.77	\$4,777.50
Monthly Service Fee	\$30.00	\$120.00
FHA Mortgage Insurance	\$92.27	\$365.80
T & I Disbursement		
Prepayments		
Lender Advance		
APRIL ADDITIONS	\$1,331.04	

Balances as of: 04/30/2007

Prior Month's Line of Credit	\$1,712.06
Current Available Line of Credit	\$1,722.91
Net Principal Limit	\$1,722.91
Repair Set Aside Balance	
Repair Set Aside Moved	
Into Line of Credit	
1st Year Set Aside	
T & I Set Aside Balance	
Loan Balances	
Original	\$191,578.83
March	\$221,454.85
April	\$222,785.89

TRANSACTION HISTORY FOR STATEMENT PERIOD

DATE	TRANSACTION DESCRIPTION	CREDITS	DEBITS	LOAN BALANCE
	Starting Loan Balance			\$221,454.85
04/30/2007	Mortgage Insurance Premium		\$92.27	\$221,547.12
04/30/2007	Finance Charge on Loan Balance		\$1,208.77	\$222,755.89
04/30/2007	Service Fee		\$30.00	\$222,785.89



PROPERTY INFORMATION

Original Appraised Value of Home	\$415,000.00
Maximum Claim Amount	\$362,790.00

*Your June interest rate is based on the 1-year US Treasury securities rate of 4.9% plus a margin of 1.5% as published on Tuesday, 05/01/07.

Do you know someone who could benefit from a reverse mortgage? We want to help! Share the relief that comes with financial independence. Call (800) 233-4601 today for more information.





**SEATTLE
FINANCIAL
GROUP**

190 Queen Anne Avenue N.
Suite 100
Seattle, WA 98109
1.866.863.5224
206.436.3488
fax 206.281.5313
servicing@seattlemortgage.com
www.seattlefinancialgroup.com

**REVERSE MORTGAGE
ACCOUNT STATEMENT
Seattle Savings Bank**

PAGE 1 of 1

THIS IS NOT A BILL

JOHN L. WHEELER, SR.
181 HUNTER AVE
OAKLAND, CA 94603-2030

C- 10742

██

Loan Number	4393069
Funded	06/27/06
For Month Ending	02/28/07

Initial Interest	6.630%
February	6.460%
March	6.600%
April	6.550%
Program Type	LINE OF CREDIT

LOAN ACTIVITY AND BALANCE SUMMARY

FEBRUARY LOAN ACTIVITY

Year to Date

Scheduled Payment		
Draws		
Finance Charges	\$1,178.00	\$2,358.06
Monthly Service Fee	\$30.00	\$60.00
FHA Mortgage Insurance	\$91.18	\$181.81
T & I Disbursement		
Prepayments		
Lender Advance		
FEBRUARY ADDITIONS	\$1,299.18	

Balances as of: 02/28/07

Prior Month's Line of Credit	\$1,690.77
Current Available Line of Credit	\$1,701.01
Net Principal Limit	\$1,701.01
Repair Set Aside Balance	
Repair Set Aside Moved	
Into Line of Credit	
1st Year Set Aside	
T & I Set Aside Balance	
Loan Balances	
Original	\$191,578.83
January	\$218,823.28
February	\$220,122.46

TRANSACTION HISTORY FOR STATEMENT PERIOD

DATE	TRANSACTION DESCRIPTION	CREDITS	DEBITS	LOAN BALANCE
	Starting Loan Balance			\$218,823.28
02/28/07	Mortgage Insurance Premium		\$91.18	\$218,914.46
02/28/07	Finance Charge on Loan Balance		\$1,178.00	\$220,092.46
02/28/07	Service Fee		\$30.00	\$220,122.46

PROPERTY INFORMATION

Original Appraised Value of Home	\$415,000.00
Maximum Claim Amount	\$362,790.00

*Your April interest rate is based on the 1-year US Treasury securities rate of 5.05% plus a margin of 1.5% as published on Monday, 02/26/07.

Do you have questions or comments about your reverse mortgage? We welcome your calls at 1-866-863-5224.





THIS IS NOT A BILL

JOHN L. WHEELER, SR.
181 HUNTER AVE
OAKLAND, CA 94603-2030

C - 10417

Loan Number	4393069
Funded	06/27/06
For Month Ending	01/31/07
Initial Interest	6.63%
January	6.51%
February	6.46%
March	6.60%
Program Type	LINE OF CREDIT

LOAN ACTIVITY AND BALANCE SUMMARY

JANUARY LOAN ACTIVITY

Year to Date

Scheduled Payment		
Draws		
Finance Charges	\$1,180.06	\$1,180.06
Monthly Service Fee	\$30.00	\$30.00
FHA Mortgage Insurance	\$90.63	\$90.63
T & I Disbursement		
Prepayments		
Lender Advance		
JANUARY ADDITIONS		\$1,300.69

Balances as of: 01/31/07

Prior Month's Line of Credit	\$1,680.32
Current Available Line of Credit	\$1,690.77
Net Principal Limit	\$1,690.77
Repair Set Aside Balance	
Repair Set Aside Moved	
Into Line of Credit	
1st Year Set Aside	
T & I Set Aside Balance	
Loan Balances	
Original	\$191,578.83
December	\$217,522.59
January	\$218,823.28

TRANSACTION HISTORY FOR STATEMENT PERIOD

DATE	TRANSACTION DESCRIPTION	CREDITS	DEBITS	LOAN BALANCE
	Starting Loan Balance			\$217,522.59
01/31/07	Mortgage Insurance Premium		\$90.63	\$217,613.22
01/31/07	Interest on Loan Balance		\$1,180.06	\$218,793.28
01/31/07	Service Fee		\$30.00	\$218,823.28

PROPERTY INFORMATION

Original Appraised Value of Home	\$415,000.00
Maximum Claim Amount	\$362,790.00

*Your March interest rate is based on the 1-year US Treasury securities rate of 5.1% plus a margin of 1.5% as published on Monday, 01/29/07.

Do you have questions or comments about your reverse mortgage? We welcome your calls at 1-866-863-5224.





SEATTLE FINANCIAL GROUP

Suite 100
Seattle, WA 98109
1.866.863.5224
206.436.3488
fax 206.281.5313
servicing@seattlemortgage.com
www.seattlefinancialgroup.com

REVERSE MORTGAGE
ACCOUNT STATEMENT
Seattle Mortgage Company

PAGE 1 of 1

THIS IS NOT A BILL

JOHN L. WHEELER, SR.
GLORIA WHEELER
181 HUNTER AVE
OAKLAND, CA 94603-20

9545

Loan Number	4393069
Funded	06/27/06
For Month Ending	09/30/06

Initial Interest	6.63%
SEPTEMBER	6.67%
OCTOBER	6.57%
NOVEMBER	6.40%
Program Type:	LINE OF CREDIT

LOAN ACTIVITY AND BALANCE SUMMARY

SEPTEMBER LOAN ACTIVITY		Year to Date	BALANCES AS OF: 09/30/06
Scheduled Payment:			\$1,374.43
Cash Draws (if any):			\$1,494.81
Interest Charged:	\$1,078.68	\$3,308.05	\$1,494.81
Monthly Service Fee:	\$30.00	\$120.00	\$18,562.50
FHA Mortgage Insurance	\$80.86	\$7,504.78	
T & I Disbursement			
Prepayments			
Lender Advance			
SEPTEMBER ADDITIONS	\$1,189.54		
			Original \$191,578.83
			AUGUST \$194,066.32
			SEPTEMBER \$195,255.86

PROPERTY INFORMATION

Original Appraised Value of Home: \$415,000.00
Maximum Claim Amount: \$362,790.00

*Your November interest rate is based on the 1-year US Treasury securities rate of 4.90% plus a margin of 1.50% as published on Monday, October 3, 2006.

Do you have questions or comments about your reverse mortgage? We welcome your calls at 1-866-863-5224.





SEATTLE FINANCIAL GROUP

190 Queen Anne Avenue N.
Seattle, WA 98109
1.866.863.5224
206.436.3488
fax 206.281.5313
servicing@seattlemortgage.com
www.seattlefinancialgroup.com

 REVERSE MORTGAGE
ACCOUNT STATEMENT
Seattle Mortgage Company

PAGE 1 of 1

THIS IS NOT A BILL

JOHN L. WHEELER, SR.
181 HUNTER AVE
OAKLAND, CA 94603-2030

9342

Loan Number	4393069
Funded	06/27/06
For Month Ending	08/31/06

Initial Interest	6.63%
AUGUST	6.63%
SEPTEMBER	6.67%
OCTOBER	6.57%
Program Type:	LINE OF CREDIT

LOAN ACTIVITY AND BALANCE SUMMARY

AUGUST LOAN ACTIVITY

Year to Date

BALANCES AS OF: 08/31/06

Prior Month's Line of Credit	\$1,255.57
Current Credit Line Balance	\$1,374.43
Net Principal Limit	\$1,374.43
Repair Set Aside Balance	\$18,562.50
Repair Set Aside Moved	
Into Line of Credit	
1st Year Set Aside	
T & I Set Aside Balance	
Loan Balances	
Original	\$191,578.83
JULY	\$192,890.24
AUGUST	\$194,066.32

PROPERTY INFORMATION

Original Appraised Value of Home: \$415,000.00
Maximum Claim Amount: \$362,790.00

*Your October interest rate is based on the 1-year US Treasury securities rate of 5.07% plus a margin of 1.50% as published on Monday, August 28, 2006.

Questions or comments? Please call 1-866-863-5224.



SETTLEMENT STATEMENT (Transactions With Sellers)

File Number: 61-00693110	Loan Number: 4393069	Mortgage Ins. Case #: 0427959772952
NAME AND ADDRESS OF BORROWER: JOHN L. WHEELER, SR, GLORIA WHEELER, 181 HUNTER AVENUE OAKLAND CA, 94603-2030		
NAME AND ADDRESS OF LENDER: Seattle Mortgage Company 601 108th Avenue NE #700 BELLEVUE, WA, 98004		
PROPERTY LOCATION: 181 HUNTER AVENUE OAKLAND CA, 94603-2030		
SETTLEMENT AGENT: ALLIANCE TITLE REVERSE MORTGAGE PLACE OF SETTLEMENT: 3100 ZINFANDEL DR STE 350 RANCHO CORDOVA CA, 95670		
SETTLEMENT DATE: 06/22/2006	DISBURSEMENT DATE: 06/27/2006	
L. SETTLEMENT CHARGES		M. DISBURSEMENT TO OTHERS
800. Items Payable In Connection With Loan		1501. Payoff good till 07-07-06
801. Loan Origination Fee to Liberty Reverse Mortgage	\$7,255.80	WORLD SAVINGS - PAYOFF DEPT. T3P1 \$138,406.53
802. Loan Discount		1502.
803. Appraisal Fee to Bina App/LRM	\$400.00	
804. Credit Report to Kroll Factual Data/LRM	\$16.36	1503.
805. Lender's Inspection Fee		
806. Mortgage Insurance Application Fee		1504.
807. Repair Admin Fee to SMC	\$185.63	
808. Document Preparation to FAND/SMC	\$100.00	1505.
809. Flood Certification to First American Flood/LRM	\$16.00	
810. Correspondent Service Fee to LRM to SMC POCL \$300.00		1506.
811. Correspondent Fee to SMC to LRM POCL \$510.00		
900. Items Required By Lender To Be Paid In Advance		1507.
901. Interest from		
902. Mortgage Insurance Premium for SMC/FHA	\$7,255.80	1508.
903. Hazard Insurance Premium for		
904.		1509.
905.		
1000. Reserves Deposited With Lender		1510.
1001. Hazard insurance		
1002. Mortgage insurance		1511.
1003. City property taxes		
1004. County property taxes 05/06 PAID		1512.
1005. Annual assessments		
1006.		1513.
1007.		
1008. Aggregate Adjustment		1514.
1100. Title Charges		
1101. Settlement or closing fee ALLIANCE TITLE REVERSE MOI	\$500.00	1515.
1102. Abstract or title search		
1103. Title examination		1516.
1104. Title insurance binder		
1105. Document preparation		1517.
1106. Notary Fee SELECT SIGNINGS	\$150.00	
1107. Attorney's Fees		1518.
(Includes above item numbers:)		
1108. Title Insurance (\$362,790) ALLIANCE TITLE REVERSE MC	\$903.00	1519.
(Includes above item numbers:)		
1109. Lender's coverage		1520. TOTAL DISBURSED (enter on line 1603) \$138,406.53
1110. Owner's coverage		
1111. Wire Fee		
1112. Courier Fee ALLIANCE TITLE REVERSE MORTGAGE	\$60.00	
1113. Endorsements 100/116/8.1/111.5/111.8/RME		N. Net Settlement
1200. Government Recording and Transfer Charges		
1201. Recording fees: to ALLIANCE TITLE COMPANY	\$165.00	1600. Loan Amount \$191,578.83
1202. City/county tax/stamps:		
1203. State tax/stamps:		1601. Plus Check/Cash from Borrower \$0.00
1204.		
1205.		1602. Minus total settlement charges \$17,257.50

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THIS IS NOT A BILL

Gloria Wheeler
181 Hunter Avenue
Oakland, CA 94603-2031

S - 6362

Loan Number	4393069
Funded	06/27/06
For Month Ending	06/30/2007
Initial Interest	6.630%
June	6.400%
July	6.450%
August	6.440%
Program Type	LINE OF CREDIT

LOAN ACTIVITY AND BALANCE SUMMARY

JUNE LOAN ACTIVITY		Year to Date	Balances as of: 06/30/2007	
Scheduled Payment			Prior Month's Line of Credit	\$1,733.18
Draws	\$521.54	\$521.54	Current Available Line of Credit	\$1,220.14
Finance Charges	\$1,196.76	\$7,168.02	Net Principal Limit	\$1,220.14
Monthly Service Fee	\$30.00	\$180.00	Repair Set Aside Balance	
FHA Mortgage Insurance	\$93.50	\$552.13	Repair Set Aside Moved	
T & I Disbursement			Into Line of Credit	
Prepayments			1st Year Set Aside	
Lender Advance			T & I Set Aside Balance	
JUNE ADDITIONS	\$1,841.80		Loan Balances	
			Original	\$191,578.83
			May	\$224,102.48
			June	\$225,944.28

TRANSACTION HISTORY FOR STATEMENT PERIOD

DATE	TRANSACTION DESCRIPTION	CREDITS	DEBITS	LOAN BALANCE
	Starting Loan Balance			\$224,102.48
06/13/2007	Unscheduled Payment		\$521.54	\$224,624.02
06/30/2007	Mortgage Insurance Premium		\$93.50	\$224,717.52
06/30/2007	Finance Charge on Loan Balance		\$1,196.76	\$225,914.28
06/30/2007	Service Fee		\$30.00	\$225,944.28

PROPERTY INFORMATION

Original Appraised Value of Home \$415,000.00
Maximum Claim Amount \$362,790.00

*Your August interest rate is based on the 1-year US Treasury securities rate of 4.94% plus a margin of 1.5% as published on Monday, 07/02/07.

Your reverse mortgage is now being serviced by Bank of America. The same Seattle Savings Bank associates who have provided the service for your reverse mortgage have also joined Bank of America and will continue to work to exceed your expectations. Please contact a reverse mortgage servicing specialist toll free at 1-866-863-5224 for all of your servicing needs.





190 Queen Anne Avenue N.
Suite 400
Seattle, WA 98109
1.866.863.5224
fax 206.281.5313

REVERSE MORTGAGE ACCOUNT STATEMENT

PAGE 1 of 1

THIS IS NOT A BILL

John L. Wheeler, Sr.
181 Hunter Avenue
Oakland, CA 94603-2030

C - 6844

Loan Number	4393069
Funded	06/27/06
For Month Ending	11/30/2007

Initial Interest	6.630%
November	5.550%
December	5.470%
January	4.800%
Program Type	LINE OF CREDIT

LOAN ACTIVITY AND BALANCE SUMMARY

NOVEMBER LOAN ACTIVITY

Year to Date

Scheduled Payment		
Draws	\$1,741.68	
Finance Charges	\$1,074.96	\$13,002.27
Monthly Service Fee	\$30.00	\$330.00
FHA Mortgage Insurance	\$96.84	\$1,030.45
T & I Disbursement		
Prepayments		
Lender Advance		
NOVEMBER ADDITIONS	\$1,201.80	

Balances as of: 11/30/2007

Prior Month's Line of Credit	\$5.38
Current Available Line of Credit	\$2.39
Net Principal Limit	\$2.39
Repair Set Aside Balance	
Repair Set Aside Moved	
Into Line of Credit	
1st Year Set Aside	
T & I Set Aside Balance	
Loan Balances	
Original	\$191,578.83
October	\$232,425.19
November	\$233,626.99

TRANSACTION HISTORY FOR STATEMENT PERIOD

DATE	TRANSACTION DESCRIPTION	CREDITS	DEBITS	LOAN BALANCE
	Starting Loan Balance			\$232,425.19
11/30/2007	Mortgage Insurance Premium		\$96.84	\$232,522.03
11/30/2007	Finance Charge on Loan Balance		\$1,074.96	\$233,596.99
11/30/2007	Service Fee		\$30.00	\$233,626.99

PROPERTY INFORMATION

Original Appraised Value of Home	\$415,000.00
Maximum Claim Amount	\$362,790.00

*Your January interest rate is based on the 1-year US Treasury securities rate of 3.3% plus a margin of 1.5% as published on Monday, 11/26/07.

Your reverse mortgage is now being serviced by Bank of America. The same Seattle Savings Bank associates who have provided the service for your reverse mortgage have also joined Bank of America and will continue to work to exceed your expectations. Please contact a reverse mortgage servicing specialist toll free at 1-866-863-5224 for all of your servicing needs.



THIS IS NOT A BILL

John L. Wheeler, Sr.
181 Hunter Avenue
Oakland, CA 94603-2030

C-6737

Loan Number	4393069
Funded	06/27/06
For Month Ending	09/30/2007

Initial Interest	6.630%
September	6.410%
October	5.660%
November	5.550%
Program Type	LINE OF CREDIT

LOAN ACTIVITY AND BALANCE SUMMARY

SEPTEMBER LOAN ACTIVITY

Year to Date

Scheduled Payment		
Draws		\$1,741.68
Finance Charges	\$1,227.80	\$10,836.78
Monthly Service Fee	\$30.00	\$270.00
FHA Mortgage Insurance	\$95.77	\$837.27
T & I Disbursement		
Prepayments		
Lender Advance		
SEPTEMBER ADDITIONS		\$1,353.57

Balances as of: 09/30/2007

Prior Month's Line of Credit	\$7,65
Current Available Line of Credit	\$7,95
Net Principal Limit	\$7,95
Repair Set Aside Balance	
Repair Set Aside Moved	
Into Line of Credit	
1st Year Set Aside	
T & I Set Aside Balance	
Loan Balances	
Original	\$191,578.83
August	\$229,854.75
September	\$231,208.32

TRANSACTION HISTORY FOR STATEMENT PERIOD

DATE	TRANSACTION DESCRIPTION	CREDITS	DEBITS	LOAN BALANCE
	Starting Loan Balance			\$229,854.75
09/30/2007	Mortgage Insurance Premium		\$95.77	\$229,950.52
09/30/2007	Finance Charge on Loan Balance		\$1,227.80	\$231,178.32
09/30/2007	Service Fee		\$30.00	\$231,208.32

PROPERTY INFORMATION

Original Appraised Value of Home \$415,000.00
Maximum Claim Amount \$362,790.00

*Your November interest rate is based on the 1-year US Treasury securities rate of 4.05% plus a margin of 1.5% as published on Monday, 10/01/07.

Your reverse mortgage is now being serviced by Bank of America. The same Seattle Savings Bank associates who have provided the service for your reverse mortgage have also joined Bank of America and will continue to work to exceed your expectations. Please contact a reverse mortgage servicing specialist toll free at 1-866-863-5224 for all of your servicing needs.



October 5, 2007

John L. Wheeler, Sr.
181 Hunter Avenue
Oakland, CA 94603-2030

Property Address:

181 Hunter Avenue
Oakland, CA 94603

Loan Number: 4393069

Dear Mortgagor,

Annually Bank of America, the servicer of your Reverse Mortgage, is required to verify your occupancy of the property that secures your Reverse Mortgage loan. Below is a statement certifying that the above referenced property is your principal residence. Please read the certification and warning notice, sign where indicated, and return in the envelope provided within 30 days.

Absences from the property which may exceed two months should be reported to us along with your temporary address. In order to avoid determinations that your principal residence has changed, you are strongly urged to advise us if you will be absent from the property for periods greater than two months. As you know, absences greater than 12 months with no Borrower residing in the property will result in the loan being called Due and Payable.

If an Alternate Contact form is also enclosed, please complete it and enclose it with the certification.

Thank you for your cooperation. You may call our Servicing Department toll free at 1-866-863-5224 if you have any questions. Our office hours are Monday through Friday, 6 AM to 5 PM Pacific Standard Time.

**ANNUAL CERTIFICATION OF OCCUPANCY**

I (We) hereby certify that I (we) continue to occupy the property identified above as my (our) principal residence.

WARNING: Section 1001 of Title 18 of the United States Code makes it a criminal offense to make a willfully false statement or misrepresentation to any department or agency of the United States government as to any matter within its jurisdiction.

X John L. Wheeler
Borrower

10-9-07
Date

X Marie A. Wheeler
Co-Borrower

10-9-07
Date

Loan Number: 4393069

Bank of America



190 Queen Anne Avenue N.
Suite 400
Seattle, WA 98109
1.866.863.5224
fax 206.281.5313

REVERSE MORTGAGE

ACCOUNT STATEMENT

PAGE 1 of 1

THIS IS NOT A BILL

John L. Wheeler, Sr.
181 Hunter Avenue
Oakland, CA 94603-2030

C - 7131

||||||||||||||||||||||||||||||||

Loan Number	4393069
Funded	06/27/06
For Month Ending	01/31/2008
Initial Interest	6.630%
January	4.800%
February	4.920%
March	3.810%
Program Type	LINE OF CREDIT

LOAN ACTIVITY AND BALANCE SUMMARY

JANUARY LOAN ACTIVITY

Year to Date

Scheduled Payment		
Draws		
Finance Charges	\$939.27	\$939.27
Monthly Service Fee	\$30.00	\$30.00
FHA Mortgage Insurance	\$97.84	\$97.84
T & I Disbursement		
Prepayments		
Lender Advance		
JANUARY ADDITIONS	\$1,067.11	

Balances as of: 01/31/2008

Prior Month's Line of Credit	
Current Available Line of Credit	
Net Principal Limit	
Repair Set Aside Balance	
Repair Set Aside Moved	
Into Line of Credit	
1st Year Set Aside	
T & I Set Aside Balance	
Loan Balances	
Original	\$191,578.83
December	\$234,819.28
January	\$235,886.39

TRANSACTION HISTORY FOR STATEMENT PERIOD

DATE	TRANSACTION DESCRIPTION	CREDITS	DEBITS	LOAN BALANCE
	Starting Loan Balance			\$234,819.28
01/31/2008	Mortgage Insurance Premium		\$97.84	\$234,917.12
01/31/2008	Finance Charge on Loan Balance		\$939.27	\$235,856.39
01/31/2008	Service Fee		\$30.00	\$235,886.39

PROPERTY INFORMATION

Original Appraised Value of Home	\$415,000.00
Maximum Claim Amount	\$362,790.00

*Your March interest rate is based on the 1-year US Treasury securities rate of 2.31% plus a margin of 1.5% as published on Monday, 01/28/08.

Prepayments towards your reverse mortgage loan balance are **not required. However, if you do make prepayments to your loan, please make your check payable to Bank of America. Bank of America will no longer process prepayments made out to Seattle Mortgage or Seattle Savings Bank after December 31st, 2007.

